

# **Minutes of Commission Meeting**

## **Special Meeting | Wednesday, August 21, 2019 at 10:00 AM**

Location: Coverdell Legislative Office Building  
Room 606, 18 Capitol Square SW  
Atlanta, Ga. 30334

### **PRESENT:**

#### Commission Members:

Jake Evans, Chairman  
James D. Kreyenbuhl, Vice Chairman  
Eric L. Barnum, Commission Member  
Robert Watts, Commission Member  
Rick Thompson, Commission Member

#### Commission Staff:

David Emadi, Executive Secretary  
Robert Lane, Deputy Executive Secretary  
Tracey Watson, Staff Attorney  
Katie Easterwood, Legal Secretary  
Chris Phelps, Paralegal  
Holly Smith, Videographer  
Tamara Solomon, Videographer  
Kim Greene, Court Reporter

#### Office of the Attorney General:

Christian Fuller, Assistant Attorney-General

### **MEETING CALLED TO ORDER:**

The meeting was called to order at 10:00 AM by Chair Evans

### **PRELIMINARY HEARINGS:**

- **2017-0169PC: In the Matter of John W. Oxendine (RL)**

The Commission heard evidence and argument on the four allegations that remain in dispute. These allegations were arranged and heard as follows:

#### **Allegation 1:**

A motion was made to find that reasonable grounds exist that O.C.G.A. § 21-5-33(c) has been violated by the respondent.

*Motioned by: Chair Evans*

*Seconded by: Commissioner Barnum*

An amended motion was made by Commissioner Barnum to find that reasonable grounds exist that O.C.G.A. § 21-5-33(a) and O.C.G.A. § 21-5-33(c) have been violated by the respondent in 2013 based upon the 2013 transactions involving the \$97,000 transfer, the \$50,000 transfer and the \$40,000 transfer from *Oxendine Working for Georgia* to *Oxendine PC's IOLTA*.

*Motioned by: Commissioner Barnum*

*Seconded by: Commissioner Thompson*

*Vote: Commissioner Barnum withdrew his amended motion*

The Commission resumed discussion of the pending motion made by Chair Evans to find that reasonable grounds exist that O.C.G.A. § 21-5-33(c) has been violated. Upon the conclusion of discussion, Chair Evans called for a vote

*Vote: 5 to 0 motion carried as approved as to O.C.G.A. § 21-5-33(c)*

A motion was made to find that reasonable grounds exist that the respondent has violated O.C.G.A. § 21-5-33(a)

*Motioned by: Commissioner Barnum*

*Seconded by: Vice Chair Kreyenbuhl*

*Vote: 4 to 1 motion carried as approved as to O.C.G.A. § 21-5-33(a) with Commissioner Watts being the opposition.*

## **Allegation 2:**

A motion was made to find that for calendar year 2014 reasonable grounds exist that respondent violated O.C.G.A. § 21-5-33(c).

*Motioned by: Chair Evans*

*Seconded by: Motion failed for lack of a second.*

*Vote: N/A*

An amended motion was made to clarify that the respondent in this matter is *Oxendine Working for Georgia* and that for calendar year 2014, reasonable grounds exist that respondent violated O.C.G.A. § 21-5-33(c).

*Motioned by: Commissioner Barnum*

*Seconded by: Commissioner Watts*

*Vote: 5 to 0 motion carried as approved as to O.C.G.A. § 21-5-33(c)*

A motion was made that reasonable grounds exist that *Oxendine Working for Georgia* violated O.C.G.A. § 21-5-33(a) when it transferred \$50,000 in 2014 from *Oxendine Working for Georgia* to *Oxendine PC's IOLTA* account.

*Motioned by: Commissioner Barnum*

*Seconded by: Commissioner Thompson*

*Vote: 4 to 1 motion carried as approved as to O.C.G.A. § 21-5-33(a) with Commissioner Watts being the opposition.*

**Allegation 3:**

A motion was made to dismiss allegation 3 and all allegations in complaint as to O.C.G.A. § 21-5-43(d)

*Motioned by: Chair Evans*

*Seconded by: Motion failed for lack of a second.*

*Vote: N/A*

An amended motion was made that there were no reasonable grounds to believe that respondent improperly expended \$208,067.51 in campaign funds which were allocated for elections that respondent allegedly failed to qualify and/or campaign for in violation of O.C.G.A. § 21-5-43(d).

*Motioned by: Vice Chairman Kreyenbuhl*

*Seconded by: Commissioner Barnum*

*Vote: 4 to 1 motion carried as approved as to O.C.G.A. § 21-5-43(d) with Commissioner Thompson being the opposition.*

**Allegation 4:**

A motion was made to find that reasonable grounds exist that O.C.G.A. § 21-5-41(a) was violated when in 2008 respondent improperly accepted campaign contributions in the amount of \$120,000 that exceeded contribution limits as contributions were made by a political committee.

*Motioned by: Commissioner Barnum*

*Seconded by: Vice Chair Kreyenbuhl*

*Vote: 3 to 1 motion carried as approved as to O.C.G.A. § 21-5-41(a) with Commissioner Thompson having recused himself from this matter and Commissioner Watts being the opposition.*

**PUBLIC COMMENT:**

No Public Comments.

**MEETING ADJOURNED:**

The meeting was adjourned at 04:03 PM by Chair Evans.

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## Official Minutes Statement

The foregoing Minutes for the August 21, 2019 Special Meeting of the Georgia Government Transparency and Campaign Finance Commission were approved and adopted by the Commission at the Commission's meeting on September 26, 2019.



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Jake Evans, Chair

10/18/2019

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Date